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15 *Attorneys for Defendant Zuffa, LLC, d/b/a*
16 *Ultimate Fighting Championship and UFC*

17 UNITED STATES DISTRICT COURT
18 DISTRICT OF NEVADA

19
20 Cung Le, Nathan Quarry, Jon Fitch, Brandon
21 Vera, Luis Javier Vazquez, and Kyle
Kingsbury on behalf of themselves and all
others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
25 Championship and UFC,

26 Defendant.
27
28

Case No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF STACEY K.
GRIGSBY IN SUPPORT OF
ZUFFA, LLC'S MOTION TO
SEAL PORTIONS OF
PLAINTIFFS' REPLY IN
SUPPORT OF THEIR MOTION
TO CHALLENGE ATTORNEY-
CLIENT PRIVILEGE (ECF NO.
336) AND RELATED EXHIBITS**

1 I, Stacey K. Grigsby, declare as follows:

2 1. I am an attorney admitted to practice before the courts in the states of New York
3 and the District of Columbia and am admitted Pro Hac Vice to practice before this Court. I am a
4 Partner in the law firm Boies, Schiller & Flexner LLP, and counsel to Defendant Zuffa, LLC
5 (“Zuffa”) in this case.

6 2. I make this declaration in support of Zuffa, LLC’s Motion to Seal Portions Of
7 Plaintiffs’ Reply in Support Of Their Motion to Challenge Attorney-Client Privilege (ECF No.
8 336) And Related Exhibits. Based on my review of the files and records in this case, I have
9 firsthand knowledge of the contents of this declaration and could testify thereto.

10 3. Zuffa seeks to file under seal four exhibits identified as Exhibits 1-4 to the
11 Declaration Of Kevin E. Rayhill in Support Of Plaintiffs’ Reply in Support Of Their Motion to
12 Challenge Attorney-Client Privilege (“Rayhill Reply Declaration”), as well as portions of
13 Plaintiffs’ Reply in Support Of Their Motion to Challenge Attorney-Client Privilege (“Plaintiffs’
14 Reply”) (ECF No. 336). This declaration is submitted to provide the factual and legal support for
15 the filing of this material.

16 4. Federal Rule of Civil Procedure 26(c) provides that the Court may “issue an order
17 to protect a party or person from annoyance, embarrassment, oppression or undue burden or
18 expense” by “requiring that a trade secret or other confidential research, development, or
19 commercial information not be revealed or be revealed only in a specific way.”

20 5. Exhibits 1 and 2 to the Rayhill Reply Declaration contain highly confidential
21 negotiations between Zuffa and two athletes, including detailed proposed financial terms and
22 other highly confidential information.

23 6. Exhibit 3 to the Rayhill Reply Declaration contains highly confidential and
24 sensitive negotiation information regarding Zuffa’s negotiations with and a potential licensee and
25 sponsor. Exhibit 4 to the Rayhill Reply Declaration contains highly confidential and sensitive
26 information regarding Zuffa’s relationships with certain affiliated brands and Zuffa’s internal
27 business strategies.
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1 7. Zuffa also seeks to seal portions of Plaintiffs' Reply that contain confidential
2 information described in paragraphs 5 and 6 and contain confidential and, for some documents,
3 attorney-client privilege information related to the documents Zuffa moved to seal in its Motion
4 to Seal Portions of Plaintiffs' Motion to Challenge Attorney-Client Privilege (ECF No. 324) and
5 its Motion to Seal Portions of Zuffa, LLC's Opposition to Plaintiffs' Motion to Challenge
6 Attorney-Client Privilege (ECF No. 320) and Related Exhibits (ECF No. 330). Zuffa
7 incorporates by reference the arguments contained in its prior motion.

8 8. With respect to paragraph 5 above, it is my understanding that Zuffa treats its
9 internal decision-making processes, discussions, and business strategies confidential. Disclosure
10 of this information, which includes specific financial terms, benefits, and obligations negotiated
11 with an athlete, could expose Zuffa's approach to internal decision-making strategies and
12 negotiations. In sum, public disclosure of this information would provide competitors with unfair
13 and damaging insights into Zuffa's business practices.

14 9. With respect to paragraph 6 above, it is my understanding that Zuffa treats its
15 negotiations with sponsors and licensees as confidential. I also understand that Zuffa treats its
16 business strategy with respect to sponsors and licensees, as well as potential sponsors and
17 licensees as confidential. Disclosure of this information, which includes specific contemplated
18 policies, strategies, and terms with respect to sponsors and licensees could expose Zuffa's internal
19 decision-making strategies. Put simply, public disclosure of this information would provide
20 competitors with unfair insight into Zuffa's business practices with respect to sponsors and
21 licensees.

22 10. I further understand that Zuffa does not publicly disclose information relating to
23 fighter contracts and the various forms of fighter compensation paid under those agreements.

24 11. I further understand that Zuffa does not publicly disclose information relating to
25 sponsors or licensees and the various contractual requirements for sponsors and licensees who
26 contract to do business with Zuffa.

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1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing facts are true and correct. Executed this 17th day of January, 2017, in Washington, DC.

3 /s/ Stacey K. Grigsby
4 Stacey K. Grigsby
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